



Security Council

Distr.
GENERAL

S/1997/28
13 January 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 11 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE
OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 9 January 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns violations of the airspace of the Republic of Iraq by United States and other warplanes coming from Saudi Arabia and Kuwait during the period from 1 July to 31 December 1996 and acts of provocation against Iraqi civilian vessels inside Iraqi territorial waters committed by United States and other warships during the same period.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 9 January 1997 from the Minister for
Foreign Affairs of Iraq addressed to the President
of the Security Council

I refer to my letter of 6 July 1996 (S/1996/533, annex), which contained detailed information on the hostile actions undertaken by United States and other aircraft while violating Iraqi airspace from military bases in Saudi Arabia and Kuwait between 1 January and 30 June 1996. That letter also gave examples of provocative actions carried out by United States and other warships inside the territorial waters of the Republic of Iraq during the same period.

I should like in the present letter to alert you to the fact that between 1 July and 31 December 1996 United States and other warplanes continued to violate the airspace of the Republic of Iraq from military bases in Saudi Arabia and Kuwait and to engage in such hostile, provocative and inflammatory actions as the dropping of heat flares in civilian areas and on civilian installations in Iraq. A number of United States and other warships also provoked Iraqi civilian vessels inside Iraqi territorial waters. These incidents, examples of which are set forth hereunder, were reported to the United Nations Secretariat and documented by us at the time they first occurred.

1. At 1945 hours on 5 July 1996 the Iraqi fishing boat Shatt al-Arab was subjected to a search by personnel from a United States frigate on station near the Iraqi port of Mina' al-Bakr.
2. At 1900 hours on 12 July 1996 the Australian frigate Melbourne (hull number 05) established contact with the Iraqi tug Taj al-Ma'arik and ordered it to heave to. At the same time, a helicopter overflew the tug. At 0615 hours on 13 July a rubber dinghy with 10 armed men on board approached the tug. The men boarded the tug and searched it, including its engine room.
3. At 1250 hours on 24 July 1996 a United States formation dropped a heat flare on the consolidated Nasiriyah water project in the Bid'ah area of the Shatrah district in southern Iraq.
4. At 2300 hours on 25 July 1996 a United States Navy helicopter proceeded to follow and provoke the Iraqi tender Al-Fida', preventing it from proceeding on its way and placing it in danger. At 0005 hours on 26 July the personnel of the United States helicopter contacted the crew of the tender and proceeded to search the vessel. United States warship No. 39 then approached and launched a boat with 18 United States Navy personnel on board. They boarded the tender, searched it and took the names of the crew members.
5. At 1100 hours on 4 August 1996 a United States formation dropped 10 heat flares in the Saddam Dam area of Ninawa Governorate in northern Iraq.
6. At 0930 hours on 19 August 1996 a United States helicopter hovered over the Iraqi fishing boat Zubaydi and ordered the master to heave to. United States

/...

frigate No. 37 then approached it, and the personnel on board detained all of the crew members while the vessel was searched.

7. At 1300 hours on 18 September 1996 a United States helicopter hovered over the Iraqi tug Ninawa while it was at anchor in the deep-water port at Mina' al-Bakr. Its master was ordered to assemble his crew. A number of soldiers were lowered onto the tug, and they proceeded to search it, breaking all of the locks on the cabins and tanks. The ship's papers and the identity documents of the crew were taken, and information was demanded concerning the nationality of the crew members and the vessel's cargo.

8. At 0630 hours on 28 September 1996 personnel from a British frigate searched the Iraqi tug 7 Nisan. All of the locks on the doors were broken, the belongings of the crew were scattered about, and all the ship's papers and crew documents were copied. All the members of the crew were placed under restraint during the search.

9. At 0845 hours on 5 October 1996, while the Iraqi vessel Al-Bay'ah was under way, it was boarded by men from a United States helicopter. Eighteen United States soldiers, including an officer, boarded it and searched it.

10. At 1100 hours on 17 October 1996 the United States frigate Jarrett lowered a rubber dinghy with 15 men on board. They searched the Iraqi tug Diyala after boarding it and detaining its crew in the stern.

11. At 1200 hours on 20 December 1996 the United States frigate Stephen W. Groves lowered 10 men carrying sidearms in a rubber dinghy. They boarded the Iraqi tugs 7 Nisan and Al-Wahdah, which had the dredger Al-Murbadd in tow, and searched all three vessels.

We condemn these acts of aggression and provocation by the United States and others, and we request you to intervene with the countries in question, as is required of you in accordance with the responsibility entrusted to you under the Charter of the United Nations, with a view to halting and preventing any recurrence of such violations and unwarranted acts of aggression. The countries whose aircraft and ships carry out these acts and those in which the aircraft are based are to be held fully accountable for them, for the damage they cause and for the threats of a security-related, economic and moral nature that they pose to Iraq and the Iraqi people.

I likewise affirm the legally established right of the Republic of Iraq to compensation for the material and other damage inflicted on it by the commission of acts that are in violation of the Charter of the United Nations and the provisions of international public law, in accordance with the principle of State responsibility.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq
